

REMARKS

Reconsideration of this application in light of the above amendments and following comments is courteously solicited.

The Examiner in his Office Action of October 7, 2002 rejected previously submitted claim 5 under 35 USC 102 as being anticipated by U.S. Patent 5,806,552 to Martin, Jr. Applicant respectfully traverses the Examiner's rejection.

The Examiner in his rejection states the following:

"Martin, Jr. show a mixing faucet where the lower part of casing 11 is read as a connection element, adaptor 50 is the insertion piece with seals 80, 37. Adaptor 50 is inserted in the longitudinal direction of the cartridge."

Even assuming for the sake of argument that the '552 reference can be interpreted as set forth by the Examiner in the portion quoted above, it is submitted that the '552 patent does not disclose or render obvious other features of claim 5 as previously submitted (as well as newly amended claim 5). More specifically, the '552 patent does not anticipate or render obvious the arrangement of 2 discs (5 and 6) one above the other to form a plane sealing. The '552 patent does not suggest that the lower disc (6) be a stationary inlet disc and the upper disk (5) be a control disc which is displaceable and rotatable on the

inlet disk. The '552 patent does not anticipate or suggest that the control disc (5) is in mechanical connection with a driving arm (1) pivoted in a lever holder (2) to a ceramic moving element (4). The '552 patent does not anticipate or suggest that the lever holder (2) is rotatably arranged in a cartridge casing (3). Nor does the '552 patent teach the arrangement above wherein the base (9) of the cartridge casing (3) is formed with a connection element (14) for receiving the insertion piece (10). In essence, the '552 patent does not show any of the claimed features of the valve battery cartridge as set forth above. Accordingly, the Examiner's assertion that the '552 patent anticipates claim 5 (as previously submitted or as amended herein) is totally without merit.

Amended claim 5 has been amended so as to positively claim the "interchangeable insertion piece (10)" prior to reciting the relationship between the piece (10) and the connection element (14) in the base (9) of the cartridge casing (3). Claim 5 as amended is believed to better with 35 USC 112, second paragraph.

In light of the foregoing comments, it is submitted that claim 5 as pending clearly defines over the '552 patent and an early indication of same is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any

questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.


It is submitted that the claim as amended herein patentably defines over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

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Date: December 31, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D. C. 20231 on December 31, 2002

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Lori J. Larson

Name and Reg. No. of Attorney


Signature

12/31/02
Date of Signature

5. (Twice amended) Valve battery cartridge used for mixing cold water and warm water, comprises two discs (5,6) arranged one above the other to form a plane sealing together, wherein the lower disc (6) is a stationary inlet disc and the upper disc (5) is a control disc which is displaceable and rotatable on the inlet disc; where the control disc (5) is in mechanical connection with a driving arm (1) pivoted in a lever holder (2) through a ceramic moving element (4), the lever holder (2) is rotatably arranged in a cartridge casing (3), the base (9) of the cartridge casing (3) is formed with a connection element (14) for receiving an interchangeable insertion piece (10), wherein an opening for receiving the interchangeable insertion piece in the connection element is formed in a direction which is substantially parallel with a longitudinal[ly] axis of the cartridge, wherein [the improvement comprising] the connection element (14) in the base (9) of the cartridge casing (3) receives [an] the interchangeable insertion piece (10) which enables connection between connection ducts (13) in a valve battery body (12) and inlet openings, and wherein a longitudinal axis of the interchangeable insertion piece is substantially parallel to the longitudinal axis of the cartridge in the base (9) and the base (9) is provided with seal means (11) insulating

the connection element from an inner space of the valve battery
body (12).